

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

| | | |
|-------------------------------------|---|----------------------------------|
| OHIO CASUALTY INSURANCE COMPANY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 3:06-cv-977-MEF |
| |) | |
| MANIFOLD CONSTRUCTION, LLC, et al., |) | |
| |) | |
| Defendants. |) | |

ACCEPTANCE AND WAIVER OF SERVICE OF SUMMONS

COME NOW the Defendants, Whittelsey Properties, Inc., C.S. Whittelsey, III, and C.S. Whittelsey, IV, by and through their undersigned attorneys, and hereby waive service of the Summons and Complaint in the above styled action. Said Defendants acknowledge receipt of a copy of the Complaint in this action. By making this waiver, said Defendants will retain all defenses or objections to the lawsuit or to the jurisdiction of the Court except for objections based on a defect in the Summons or in the service of the Summons and Complaint.

Respectfully submitted this the 4th day of December, 2006.

WHITTELSEY, WHITTELSEY & POOLE, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document on the parties listed below electronically or by placing a copy of the same in the United States mail, postage prepaid, to their correct address on this the 4th day of December, 2006.

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